## Case 1:09-cv-02256-RBW Document 7 Filed 03/24/10 Page 1 of 1

S AO 120 (Rev. 3/04)

TO: Mail Stop 8
Director of the U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

## REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court for the District of Columbia on the following Patents or Trademarks:

| DOCKET NO DATE FILED 17/27/2009  |                          | U.S. DISTRICT COURT for the District of Columbia |                 |  |  |  |  |  |  |
|--|--------------------------|--|-----------------|--|--|--|--|--|--|
| PLAINTIFF  |                          |  | DEFENDANT       |  |  |  |  |  |  |
| CEPHALON FRANCE<br>20 rue Charles Martigny<br>Maisons-Alfort, France 94700 |                          |  |                 | DAVID J. KAPPOS<br>P.O. Box 15667<br>Arlington, VA 22215 |  |  |  |  |  |
|  | PATENT OR<br>ADEMARK NO. | DATE OF PATENT<br>OR TRADEMARK                   |                 | HOLDER OF PATENT OR TRADEMARK                            |  |  |  |  |  |
| 1 7,5  | 41,493                   | 6/2/2009   | CEPHALON FRANCE |  |  |  |  |  |  |
| 2  |                          |  |                 |  |  |  |  |  |  |
| 3  |                          |  |                 |  |  |  |  |  |  |
| 4  |                          |  |                 |  |  |  |  |  |  |
| 5  |                          |  |                 |  |  |  |  |  |  |

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

| DATE INCLUDED              | INCLUDED BY                    |         |        |                |                |
|----------------------------|--------------------------------|---------|--------|----------------|----------------|
| DATE INCLUDED              | Amend                          | dment 🔲 | Answer | Cross Bill     | Other Pleading |
| PATENT OR<br>TRADEMARK NO. | DATE OF PATENT<br>OR TRADEMARK |         | HOLDEI | R OF PATENT OR | TRADEMARK      |
| 1                          |                                |         |        |                |                |
| 2                          |                                |         |        |                |                |
| 3                          |                                |         |        |                |                |
| 4                          |                                |         |        |                |                |
| 5                          |                                |         |        |                |                |

In the above-entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

O3/23/2010 MINUTE ORDER granting 5 Motion to Lift Stay; granting 5 Motion to Remand. Upon consideration of the parties' Joint Motion to Lift Stay and Remand, and the record herein, it is hereby ORDERED that the joint motion be GRANTED. It is further ORDERED that the stay issued in this case is lifted and that the case is hereby administratively reopened; and It is further ORDERED that the plaintiffs existing patent-term calculation is hereby VACATED. It is further ORDERED that the matter is REMANDED to the U.S. Patent and Trademark Office for recalculation and adjustment of the disputed patent term in accordance with the decision of the United States Court of Appeals for the Federal Circuit in Wyeth & ElannPharma Infl Ltd. v. Kappos. \_F.3d \_\_ 2010 WL 27184 (Fed. Cir. Jan. 7, 2010). Signed by Judge Reggle & Walton on 03/23/10. (Icrow2) (Entered: 03/23/2010)

| CLERK            | (BY) DEPUTY CLERK  | DATE      |
|------------------|--------------------|-----------|
| Angela D. Caesar | /s/ Nicole Wilkens | 3/24/2010 |